

# Kansas Department of Agriculture

## Division of Food Safety and Lodging

1320 Research Park Drive, Manhattan, KS 66502  
(office) 785-564-6767 (fax) 785-564-6779

### KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

**Insp Date:** 3/12/2015      **Business ID:** 110099FE  
**Business:** MARTITA'S PLACE

4960 STATE AVE  
KANSAS CITY, KS 66102

**Inspection:** 77001208  
**Store ID:**  
**Phone:** 9135481263  
**Inspector:** KDA77  
**Reason:** 02 Follow-up  
**Results:** Administrative Review

#### Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
03/12/15	03:00 PM	03:50 PM	0:50	0:15	1:05	0	inspection
03/12/15	03:20 PM		0:00	0:30	0:30	0	travel to office
Total:			0:50	0:45	1:35	0	

#### FOOD ESTABLISHMENT PROFILE

Insp. Notification Print

Lic. Insp. No

Priority(P) Violations 6 Priority foundation(Pf) Violations 2

Certified Manager on Staff ☐

Address Verified ☒

Actual Sq. Ft. 0

Certified Manager Present ☐

#### INSPECTION INFORMATION

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of food-borne illness or injury. Public health interventions are control measures to prevent food-borne illness or injury.

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals and physical objects into foods.

Violations cited in this report must be corrected within the time frames entered below, or as stated in sections 8-405.11 of the food code.

P=Priority Violation, Pf=Priority foundation violation, HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

IF YOU HAVE ANY QUESTIONS PLEASE VISIT [www.agriculture.ks.gov](http://www.agriculture.ks.gov), EMAIL [fsl@kda.ks.gov](mailto:fsl@kda.ks.gov), OR CALL (785) 564-6767.

COMPLIANCE KEY: Y=in compliance; N=not in compliance; O=not observed; A=not applicable; C=corrected on-site during inspection; R=repeat violation.

***This item has Notes. See Footnote 1 at end of questionnaire.***

#### FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

##### Demonstration of Knowledge

1. Certification by accredited program, compliance with Code, or correct responses.

Y N O A C R

.. .. .. .. ..

##### Employee Health

2. Management awareness; policy present.

Y N O A C R

.. .. .. .. ..

3. Proper use of reporting, restriction and exclusion.

.. .. .. .. ..

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Good Hygienic Practices		Y	N	O	A	C	R
	4. Proper eating, tasting, drinking, or tobacco use	p	..	..	..	..	..
	5. No discharge from eyes, nose and mouth.	..	..	..	..	..	..
Preventing Contamination by Hands		Y	N	O	A	C	R
	6. Hands clean and properly washed.	p	..	..	..	..	..
	7. No bare hand contact with RTE foods or approved alternate method properly followed.	..	p	..	..	p	..
<i>Fail Notes</i>	3-301.11(B) <i>P - FOOD EMPLOYEES may not contact exposed, READY-TO-EAT FOOD with their bare hands and shall use suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT. [Employee was transporting RTE MOS chips from non food grade container to food safe container and handled chips with bare hands. Corrected on-Site, COS education, discarded chips. ]</i>						
	8. Adequate handwashing facilities supplied and accessible.	p	..	..	..	..	..
Approved Source		Y	N	O	A	C	R
	9. Food obtained from approved source.	..	..	..	..	..	..
	10. Food received at proper temperature.	..	..	..	..	..	..
	11. Food in good condition, safe and unadulterated.	..	p	..	..	..	..
<i>Fail Notes</i>	3-101.11 <i>P - FOOD shall be safe, UNADULTERATED, and honestly presented. [One green pepper in make table top with moldy hole in pepper. ]</i>						
	12. Required records available: shellstock tags, parasite destruction.	..	..	..	..	..	..
Protection from Contamination		Y	N	O	A	C	R
	13. Food separated and protected.	..	p	..	..	..	..
<i>Fail Notes</i>	3-302.11(A)(1)(b) <i>P - FOOD shall be protected from cross contamination by separating raw animal FOODS during storage, preparation, holding, and display from Cooked READY-TO-EAT FOOD. [Raw beef stored in reach in cooler under make table top over RTE tortillas. ]</i>						
	14. Food-contact surfaces: cleaned and sanitized.	p	..	..	..	..	..
	15. Proper disposition of returned, previously served, reconditioned and unsafe food.	..	..	..	..	..	..
Potentially Hazardous Food Time/Temperature		Y	N	O	A	C	R
	16. Proper cooking time and temperatures.	..	..	..	..	..	..
	17. Proper reheating procedures for hot holding.	..	..	..	..	..	..
	18. Proper cooling time and temperatures.	..	..	..	..	..	..
	19. Proper hot holding temperatures.	..	..	..	..	..	..
	20. Proper cold holding temperatures.	..	..	..	..	..	..
	21. Proper date marking and disposition.	..	p	..	..	p	p
<i>Fail Notes</i>	3-501.18(A)(1) <i>P - RTE PHF/TCS, Disposition (discard if held more than 7 days) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is held at a temperature of 5°C (41°F) or less for more than 7 days, with the day of preparation counted as Day 1. [In walk in cooler, container of cooked tomatillo salsa dated 3/6. Tomatillos held over 7 days, COS discarded. ]</i>						

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Potentially Hazardous Food Time/Temperature	Y	N	O	A	C	R
---	---	---	---	---	---	---

Fail Notes	3-501.18(A)(2) <i>P - RTE PHF/TCS, Disposition (discard if in a container w/out a date) Refrigerated, READY-TO-EAT, POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) prepared or opened and held in a FOOD ESTABLISHMENT for more than 24 hours shall be discarded if it is not clearly marked to indicate the date or day by which the FOOD shall be consumed on the PREMISES, sold, or discarded when held at a temperature of 5°C (41°F) or less for a maximum of 7 days, with the day of preparation counted as Day 1. [In walk in cooler, stock pot of MOS menudo without a day of prep on pot. PIC stated it was make 3/10. COS dated. ]</i>
------------	---

22. Time as a public health control: procedures and record.	..	..	..	..	..	..
---	----	----	----	----	----	----

Consumer Advisory	Y	N	O	A	C	R
-------------------	---	---	---	---	---	---

23. Consumer advisory provided for raw or undercooked foods.	..	..	..	..	..	..
--	----	----	----	----	----	----

Highly Susceptible Populations	Y	N	O	A	C	R
--------------------------------	---	---	---	---	---	---

24. Pasteurized foods used; prohibited foods not offered.	..	..	..	..	..	..
---	----	----	----	----	----	----

Chemical	Y	N	O	A	C	R
----------	---	---	---	---	---	---

25. Food additives: approved and properly used.	..	..	..	..	..	..
---	----	----	----	----	----	----

26. Toxic substances properly identified, stored and used.	..	..	..	..	..	..
--	----	----	----	----	----	----

Conformance with Approved Procedures	Y	N	O	A	C	R
--------------------------------------	---	---	---	---	---	---

27. Compliance with variance, specialized process and HACCP plan.	..	..	..	..	..	..
---	----	----	----	----	----	----

GOOD RETAIL PRACTICES
-----------------------

Safe Food and Water	Y	N	O	A	C	R
---------------------	---	---	---	---	---	---

28. Pasteurized eggs used where required.	..	..	..	..	..	..
---	----	----	----	----	----	----

29. Water and ice from approved source.	..	..	..	..	..	..
---	----	----	----	----	----	----

30. Variance obtained for specialized processing methods.	..	..	..	..	..	..
---	----	----	----	----	----	----

Food Temperature Control	Y	N	O	A	C	R
--------------------------	---	---	---	---	---	---

31. Proper cooling methods used; adequate equipment for temperature control.	..	..	..	..	..	..
--	----	----	----	----	----	----

32. Plant food properly cooked for hot holding.	..	..	..	..	..	..
---	----	----	----	----	----	----

33. Approved thawing methods used.	..	..	..	..	..	..
------------------------------------	----	----	----	----	----	----

34. Thermometers provided and accurate.	..	p	..	..	..	p
---	----	---	----	----	----	---

Fail Notes	4-302.12(A) <i>Pf - Food Temperature Measuring Devices (Provided &amp; Accessible) FOOD TEMPERATURE MEASURING DEVICES shall be provided and readily accessible for use in ensuring attainment and maintenance of required FOOD temperatures. [No thermometer on site to measure cooking, cooling, reheating temps of food made in kitchen. ]</i>
------------	--

Food Identification	Y	N	O	A	C	R
---------------------	---	---	---	---	---	---

35. Food properly labeled; original container.	..	..	..	..	..	..
--	----	----	----	----	----	----

Prevention of Food Contamination	Y	N	O	A	C	R
----------------------------------	---	---	---	---	---	---

36. Insects, rodents and animals not present.	..	..	..	..	..	..
---	----	----	----	----	----	----

37. Contamination prevented during food preparation, storage and display.	..	..	..	..	..	..
---	----	----	----	----	----	----

38. Personal cleanliness.	..	..	..	..	..	..
---------------------------	----	----	----	----	----	----

# KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Prevention of Food Contamination			Y	N	O	A	C	R
	39. Wiping cloths: properly used and stored.		..	p	..	..	..	..
<i>Fail Notes</i>	3-304.14(B)(1)	<i>Wiping cloths (Storage) Cloths in-use for wiping counters and other EQUIPMENT surfaces shall be held between uses in a chemical sanitizer solution at an appropriate concentration. [Wet wiping cloth stored on prep table top on make table unit. ]</i>						
	40. Washing fruits and vegetables.		..	..	..	..	..	..
Proper Use of Utensils			Y	N	O	A	C	R
	41. In-use utensils: properly stored.		..	p	..	..	..	..
<i>Fail Notes</i>	3-304.12(B)	<i>In-use utensil storage (Non-PHF/TCS-handles above food) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in FOOD that is not POTENTIALLY HAZARDOUS (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) with their handles above the top of the FOOD within containers or EQUIPMENT that can be closed, such as bins of sugar, flour, or cinnamon. [Handle of cup used as scooper in container of flour. ]</i>						
	42. Utensils, equipment and linens: properly stored, dried and handled.		..	p	..	..	..	p
<i>Fail Notes</i>	4-903.11(A)	<i>Cleaned EQUIPMENT and UTENSILS, laundered LINENS, and SINGLE-SERVICE and SINGLE-USE ARTICLES shall be stored: In a clean, dry location; Where they are not exposed to splash, dust, or other contamination; and, At least 15 cm (6 inches) above the floor. [Clean pans stored on wall directly above handsink and subject to splash from handwashing. ]</i>						
	43. Single-use and single-service articles: properly used.		..	..	..	..	..	..
	44. Gloves used properly.		..	..	..	..	..	..
Utensils, Equipment and Vending			Y	N	O	A	C	R
	45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used- P and Pf items		..	p	..	..	p	p
<i>Fail Notes</i>	4-101.11(A)	<i>P - FCS materials (Safe) Materials that are used in the construction of UTENSILS and FOOD-CONTACT SURFACES OF EQUIPMENT shall be safe. [RTE chips (MOS) stored in non food grade plastic tub. Employee placing shrimp in non food grade plastic container. COS discarded chips (BHC) and places shrimp in food grade container. ]</i>						
	45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used- Core items		..	p	..	..	..	p
<i>Fail Notes</i>	4-501.12	<i>Surfaces such as cutting blocks and boards that are subject to scratching and scoring shall be resurfaced if they can no longer be effectively cleaned and SANITIZED, or discarded if they are not capable of being resurfaced. [Surface of cutting board on make table unit is soiled with food and dirt debris buildup. Deep scoring to cutting board. ]</i>						
	46. Warewashing facilities: installed, maintained, and used; test strips.		..	p	..	..	..	p
	<b><i>This item has Notes. See Footnote 2 at end of questionnaire.</i></b>							
<i>Fail Notes</i>	4-302.14	<i>Pf - A test kit or other device that accurately measures the concentration in mg/L of SANITIZING solutions shall be provided. [No test strips for quat tablets used in bar area. ]</i>						
	47. Non-food contact surfaces clean.		..	..	..	..	..	..
Physical Facilities			Y	N	O	A	C	R
	48. Hot and cold water available; adequate pressure.		..	..	..	..	..	..
	49. Plumbing installed; proper backflow devices.		..	..	..	..	..	..

## KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities	Y	N	O	A	C	R
---------------------	---	---	---	---	---	---

50. Sewage and waste water properly disposed.	..	..	p	..	..	..
---	----	----	---	----	----	----

51. Toilet facilities: properly constructed, supplied and cleaned.	..	p	..	..	..	p
--	----	---	----	----	----	---

<i>Fail Notes</i>	5-501.17	<i>A toilet room used by females shall be provided with a covered receptacle for sanitary napkins. [No covered trash can in ladies' toilet room.]</i>
-------------------	----------	---

52. Garbage and refuse properly disposed; facilities maintained.	..	..	..	..	..	..
--	----	----	----	----	----	----

53. Physical facilities installed, maintained and clean.	..	p	..	..	..	p
--	----	---	----	----	----	---

<i>Fail Notes</i>	6-501.11	<i>PHYSICAL FACILITIES shall be maintained in good repair. [Wall by sump pump severely damaged. Deteriorating wall leading to basement (foundation).]</i>
-------------------	----------	---

54. Adequate ventilation and lighting; designated areas used.	..	p	..	..	..	..
---	----	---	----	----	----	----

<i>Fail Notes</i>	4-301.14	<i>Ventilation hood systems and devices shall be sufficient in number and capacity to prevent grease or condensation from collecting on walls and ceilings. [Grease condensating on ceiling, on hood, outside hood. All surfaces in establishment greasy, including pots, pans, utensils, walls, everything. PIC stated hood was last clean a year ago. No invoice produced. ]</i>
-------------------	----------	--

Administrative/Other	Y	N	O	A	C	R
----------------------	---	---	---	---	---	---

55. Other violations	..	..	..	..	..	..
----------------------	----	----	----	----	----	----

EDUCATIONAL MATERIALS
-----------------------

The following educational materials were provided ..

## KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

### **Footnote 1**

**Notes:**

Accompanied by KDA40

### **Footnote 2**

**Notes:**

Establishment has strips for chlorine.

## NOTICE OF NON COMPLIANCE WITH KANSAS LAW

**Insp Date:** 3/12/2015      **Business ID:** 110099FE  
**Business:** MARTITA'S PLACE

4960 STATE AVE  
KANSAS CITY, KS 66102

**Inspection:** 77001208  
**Store ID:**  
**Phone:** 9135481263  
**Inspector:** KDA77  
**Reason:** 02 Follow-up

### Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
03/12/15	03:00 PM	03:50 PM	0:50	0:15	1:05	0	inspection
03/12/15	03:20 PM		0:00	0:30	0:30	0	travel to office
Total:			0:50	0:45	1:35	0	

### NOTICE OF NON COMPLIANCE WITH KANSAS LAW

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012 includes K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate food establishments and food processing plants.

The Kansas Food, Drug and Cosmetic Act requires that all violations shall be corrected no later than 10 days after this inspection unless otherwise directed on this form.

Failure to comply with the food safety law and its regulations may result in embargo of non-compliant products; immediate closure of your establishment; civil penalties of up to \$1,000.00 per violation; denial of license renewal, modification, suspension and/or revocation of any license or authority issued pursuant to the food safety law; and/or any other penalty authorized by law. Pursuant to K.S.A. 65-619 et seq, licensees issued authority under the Kansas Food, Drug and Cosmetic Act may apply to the secretary for an extension of the time prescribed above.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled \_\_\_\_\_

Inspection Report Number 77001208

Inspection Report Date 03/12/15

Establishment Name MARTITA'S PLACE

Physical Address 4960 STATE AVE City KANSAS CITY

Zip 66102

Additional Notes  
and Instructions

Follow up will be conducted as directed by Manhattan office.

## VOLUNTARY DESTRUCTION REPORT

**Insp Date:** 3/12/2015      **Business ID:** 110099FE  
**Business:** MARTITA'S PLACE

4960 STATE AVE  
KANSAS CITY, KS 66102

**Inspection:** 77001208  
**Store ID:**  
**Phone:** 9135481263  
**Inspector:** KDA77  
**Reason:** 02 Follow-up

### Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
03/12/15	03:00 PM	03:50 PM	0:50	0:15	1:05	0	inspection
03/12/15	03:20 PM		0:00	0:30	0:30	0	travel to office
Total:			0:50	0:45	1:35	0	

### ACTIONS

Number of products Voluntarily Destroyed 3

### VOLUNTARY DESTRUCTION REPORT

I have this day voluntarily destroyed, or caused to be destroyed, the merchandise described below. Said merchandise found in my possession was unfit for human consumption, misbranded, or otherwise unlawful. Destruction and final disposition of said merchandise has been done in a manner approved by the above named Inspector, representative of the Kansas Department of Agriculture.

I hereby release the Kansas Department of Agriculture, and its members, agents, and representatives from any and all liability.

1. Product chips Qty 1 Units contia Value \$ 50.00

Description BHC

Reason Product Destroyed Adulterated Method Product Destroyed Dumpster

Disposal Location Firm Embargo Hold Tag # N/A

2. Product green pepper Qty 1 Units ea Value \$ 1.00

Description moldy

Reason Product Destroyed Adulterated Method Product Destroyed Dumpster

Disposal Location Firm Embargo Hold Tag # N/A

VOLUNTARY DESTRUCTION REPORT

VOLUNTARY DESTRUCTION REPORT

3. Product tomatillo salsa Qty 1 Units contai Value \$ 10.00

Description out of date

Reason Product Destroyed Adulterated Method Product Destroyed Trash Can

Disposal Location Firm Embargo Hold Tag # N/A